

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

POWER INTEGRATIONS, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 04-1371-JJF
)	
FAIRCHILD SEMICONDUCTOR)	
INTERNATIONAL, INC., and FAIRCHILD)	
SEMICONDUCTOR CORPORATION,)	
)	
Defendants.)	

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT
OF INVALIDITY OF CLAIM 1 OF THE '876 PATENT**

Defendants Fairchild Semiconductor International, Inc. and Fairchild Semiconductor Corporation (collectively, "Fairchild") respectfully move for an Order pursuant to Fed. R. Civ. P. 56 declaring that Claim 1 of U.S. Patent No. 6,249,876 (the "'876 patent") is invalid by reason of anticipation under 35 U.S.C. § 102(b). Fairchild has come forward with three prior art references, each of which on its own expressly discloses each and every element of Claim 1 of the '876 patent. The existence and content of this prior art are not in dispute. There is no genuine issue as to any fact material to the validity of Claim 1 of the '876 patent and Fairchild is entitled to judgment as a matter of law.

This motion is based upon the opening brief and declaration in support of this motion, the supporting evidence attached thereto, all pleadings and papers on file in this action, and any other evidence the Court deems proper and just.

ASHBY & GEDDES

/s/ John G. Day

Steven J. Balick (I.D. 2114)
John G. Day (I.D. 2403)
Lauren E. Maguire (I.D. 4261)
222 Delaware Avenue, 17th Floor
Wilmington, DE 19899
(302) 654-1888
sbalick@ashby-geddes.com
jday@ashby-geddes.com
lmaguire@ashby-geddes.com

Attorneys for Defendants

Of Counsel:

ORRICK, HERRINGTON & SUTCLIFFE LLP
G. Hopkins Guy, III (#124811)
Vicki L. Feeman (#177487)
Bas de Blank (#191487)
Brian H. VanderZanden (#233134)
1000 Marsh Road
Menlo Park, CA 94025
(650) 614-7400

Dated: March 17, 2006
167740.1

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

POWER INTEGRATIONS, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 04-1371-JJF
)	
FAIRCHILD SEMICONDUCTOR)	
INTERNATIONAL, INC., and FAIRCHILD)	
SEMICONDUCTOR CORPORATION,)	
)	
Defendants.)	

ORDER

This _____ day of _____, 2006, defendants ("Fairchild") having moved for summary judgment that U.S. Patent No. 6,249,876 (the "'876 Patent") is invalid by reason of anticipation under 35 U.S.C. § 102(b), and the Court, after considering the issues, having concluded that good grounds exist for the requested relief, now therefore,

IT IS HEREBY ORDERED that Fairchild's motion for summary judgment that the '867 Patent is invalid by reason of anticipation is hereby **GRANTED**.

United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of March, 2006, the attached **DEFENDANTS'**
MOTION FOR SUMMARY JUDGMENT OF INVALIDITY OF CLAIM 1 OF THE '876
PATENT was served upon the below-named counsel of record at the address and in the manner
indicated:

William J. Marsden, Jr., Esquire
Fish & Richardson, P.C.
919 N. Market Street
Suite 1100
P.O. Box 1114
Wilmington, DE 19899

HAND DELIVERY

Frank E. Scherkenbach, Esquire
Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804

VIA FEDERAL EXPRESS

Michael Kane, Esquire
Fish & Richardson P.C.
60 South Sixth Street
3300 Dain Rauscher Plaza
Minneapolis, MN 55402

VIA FEDERAL EXPRESS

Howard G. Pollack, Esquire
Fish & Richardson P.C.
500 Arguello Street, Suite 500
Redwood City, CA 94063

VIA FEDERAL EXPRESS

Andre G. Bouchard, Esquire
Bouchard Margules & Friedlander, P.A.
222 Delaware Avenue, Suite 1400
Wilmington, DE 19801

HAND DELIVERY

/s/ John G. Day

John G. Day